

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**IN RE: GOOGLE, INC. COOKIE
PLACEMENT CONSUMER PRIVACY
LITIGATION**

Case No. 1:12-md-02358-JDW

ORDER

AND NOW, this 9th day of November, 2023, upon consideration of Plaintiffs' Motion For Certification For Interlocutory Appeal, (D.I. 228), and Theodore H. Frank's Answering Brief In Opposition To Plaintiffs' Motion For Leave (D.I. 230), I note as follows.

1. On July 10, 2023, Judge Robreno denied Plaintiffs' motion for final certification of the settlement class. (D.I. 220). The case was subsequently reassigned to me. (D.I. 225). Now, Plaintiffs ask that I certify Judge Robreno's Order dated July 10, 2023 for interlocutory appeal. (D.I. 228).

2. There is substantial dispute as to whether 28 U.S.C. § 1292(b) authorizes me to do so because Judge Robreno issued the Order.

3. This specific question is on appeal in the Third Circuit. *See In re Sensipar Cinacalcet Hydrochloride Tablets*, No. 23-2213 (3rd Cir.). I will be bound by whatever the ultimate resolution of that appeal is.

Therefore, it is **ORDERED** that this case is **STAYED** pending the final resolution of the *In re Sensipar* appeal.

It is **FURTHER ORDERED** that within 28 days of any opinion issued in the appeal, the Parties shall update me with the issuance of the decision and the procedural posture of *In re Sensipar* including any subsequent appeal.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.